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JUL 23 2004

OFFICE OF PETITIONS

In re Application of :
Raghavan, et al. : DECISION REFUSING STATUS
Application No. 10/666,532 : UNDER 37 CFR 1.47(b)
Filed: September 19, 2003 :
Atty. Dkt. No.: B-3996NP621226-5 :
For: SYMMETRIC PLANAR INDUCTOR :

This decision is in response to the renewed petition under 37 CFR 1.47(b), filed June 14, 2004.

The petition is DISMISSED.

Rule 47 applicant is given TWO MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.47(b)," and should only address the deficiencies noted below, except that the reply may include an oath or declaration executed by the non-signing inventor(s). Failure to respond will result in abandonment of the application. Any extensions of time will be governed by 37 CFR 1.136(a).

The above-identified application was filed September 19, 2003 without an executed oath or declaration and naming Gopal Raghavan and Michael G. Case as joint inventors. Accordingly, a Notice to File Missing Parts of Nonprovisional Application was mailed December 15, 2003. The Notice required, *inter alia*, an executed oath or declaration and a surcharge. A petition under 37 CFR 1.47(b) was filed February 20, 2004 and dismissed May 14, 2004.

A grantable petition under 37 CFR 1.47(b) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; (3) the petition fee; (4) a statement of the last known address of the non-signing inventor; (5) proof of proprietary interest; and (6) a showing that such action is required to

preserve the rights of the parties or to prevent irreparable damages.

The instant petition lacks requirement (1) set forth above.

As to item (1), petitioner has failed to establish that inventor Gopal Raghavan cannot be reached or located for presentation of the application papers (specification, claims, drawings, and oath or declaration). Petitioner alleges that the application papers were sent to the last known address of the non-signing inventor but that the package containing the application papers was returned as undeliverable. The petition also indicates attempt to locate the inventor via the internet was unsuccessful.

Where inability to reach or locate a non-signing inventor is alleged, petitioner is required to establish that diligent effort was made to locate the non-signing inventor, and provide the non-signing inventor with a complete copy of the patent application (**specification, including claims, drawings, and oath or declaration**). While, petitioner alleges the non-signing inventor cannot be located, please note that a cursory review of the Lexis®.com EZFIND Combined Person Locator Nationwide database indicates Gopal Raghavan, previously of 517 Oakbury Court, Thousand Oaks, California 91360, has more recently resided at 2460 McCrea Road, Thousand Oaks, CA 91362-1122.

Any renewed petition must be supported by evidence that sufficiently establishes that despite diligent effort, the non-signing inventor cannot be located. A statement of facts should be submitted that fully describes the exact facts, which are relied on to establish that a *diligent effort* was made to locate the inventor. A person having firsthand knowledge of the facts recited therein must sign the statement of facts, where at all possible. Statements based on hearsay, will not normally be accepted. At the very least, a more exhausting search of the internet and telephone directories should be undertaken in regions where it is suspected the non-signing inventor may reside. Petitioner should reference and supply evidence of any such searches in a renewed petition. See, MPEP 409.03(d).

Further correspondence with respect to this matter should be addressed as follows:

By mail:

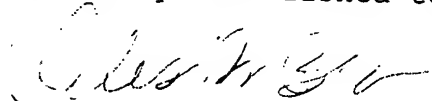
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

By facsimile: (703) 872-9306


By hand: Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop Petition
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Inquiries related to this decision may be directed to the undersigned at (703) 305-0310.

Please be advised that on or about September 28, 2004 the undersigned may be reached by contacting the Office of Petitions at the newly established telephone number of (571) 272-3282.



Alesia M. Brown
Petitions Attorney
Office of Petitions

Source: [Public Records > People, Business & Asset Locators > ALLFND Combined Person Locator Files](#) 

Terms: [gopal /2 raghavan](#) ([Edit Search](#))

Focus: [california](#) ([Exit FOCUS™](#))

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RAGHAVAN, GOPAL (MALE)

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PERSON LOCATOR - P-CNSR

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Name: RAGHAVAN, GOPAL (MALE)

Address:

2460 MCCREA RD

THOUSAND OAKS, CA 91362-1122

County: VENTURA

Latitude: 34.22

Longitude: -118.83

Address Type: HOUSE NUMBER & STREET NAME

Address Created: 2003

Source: [Public Records > People, Business & Asset Locators > ALLFND Combined Person Locator Files](#) 

Terms: [gopal /2 raghavan](#) ([Edit Search](#))

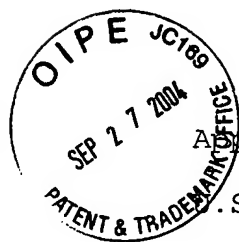
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Gopal RAGHAVAN, et al.

U.S. Serial No.: 10/666,532

Group: 2832

Filing Date: September 19, 2003

Our Ref.: B-3996NP 621226-5

For: "SYMMETRIC PLANAR INDUCTOR"

**VERIFIED STATEMENT OF DETAILS OF EFFORTS TO REACH NONSIGNING
INVENTOR (SUPPLEMENT TO STATEMENT OF FACTS IN SUPPORT OF FILING ON
BEHALF OF NONSIGNING INVENTOR)**

I, the undersigned, hereby state that the following attempts were made to reach the nonsigning inventor, Gopal Raghavan, and that I am the person most knowledgeable of facts surrounding the below listed attempts to reach the nonsigning inventor of the above-identified application.

On August 4, 2004, I sent a letter enclosing unsigned Declaration/Power of Attorney and Assignment document as well as a copy of the application as filed with the USPTO to Mr. Gopal Raghavan. A copy of the August 4, 2004 letter and its enclosures are attached hereto. This letter was mailed to the updated address for Mr. Raghavan which was provided in the Decision Refusing Status Under 37 CFR 1.47(b) mailed on July 23, 2004 for the subject application.

On August 11, 2004, Mr. Daniel Allemeier retrieved a voicemail in which Mr. Raghavan stated that he received the application papers and has no intention of signing the same. A Verified Statement to this effect signed by Mr. Allemeier is being filed concurrently herewith.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements

Verified Statement
USSN 10/666,532
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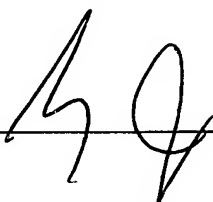
were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 9/22/04

Typed/printed name of the person making this statement

Suzanne Johnston

Signature



Post Office Address LADAS & PARRY

5670 Wilshire Blvd., Ste. 2100

Los Angeles, CA 90036-5679

RICHARD P. BERG
MAVIS S. GALLENSON
M. IRIS HESS
JOHN A. PALMER
ROSS A. SCHMITT
TROY GUANGYU CAI
ROBERT POPA
TIMOTHY S. COLE
ALEX KRAYNER
ELIZABETH A. LINFORD

ALESSANDRO STEINFEL
TOMAS LENDVAI
(EUROPEAN PATENT ATTORNEYS)

OF COUNSEL

RICHARD M. JOHNSON
ROBIN DAY GLENN
KAM C. LOUIE
EUGENE VALET

***NY BAR ONLY
***IN BAR ONLY
NOT BAR MEMBERS

52-54 HIGH HOLBORN
LONDON, WC1V 6RR, ENGLAND

GRAHAM FARRINGTON
U.K. Resident Partner
(MEMBER N.Y. BAR)



LAW OFFICES

LADAS & PARRY LLP

5670 WILSHIRE BOULEVARD
SUITE 2100
LOS ANGELES, CALIFORNIA 90036-5679

TELEPHONE: (323) 934-2300
FACSIMILE: (323) 934-0202
E-MAIL: LA_Mail@ladasparry.com
INTERNET: <http://www.ladas.com>

28 WEST 61st STREET
NEW YORK, NY 10023

ALLAN S. PILSON
PETER D. GALLOWAY
ROBERT ALPERT
JOHN RICHARDS
DANIEL F. ZENDEL
LANNING S. BRYER
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JOSEPH J. VILLAPOL
BHARATI BAKSHANI
DENNIS S. PRAHL
GEORGIA N. GOUNARIS
MARY A. MOY
(MEMBERS N.Y. BAR)

224 SOUTH MICHIGAN AVE.
CHICAGO, IL 60604

RICHARD J. STREIT
FREDERICK W. MEYERS
DERMOT J. HORGAN
JOHN E. MCKIE
(MEMBERS IL BAR)

DACHAUERSTRASSE 37
80335 MUNICH, GERMANY

August 4, 2004

Mr. Gopal Raghavan
2460 McCrea Road
Thousand Oaks, California 91362-1122

VIA DHL COURIER

Re: U.S. Patent Application No. 10/666,532
Gopal RAGHAVAN, et al.
"SYMMETRIC PLANAR INDUCTOR"
HRL ref: 00501
Our ref: B-3996NP 621226-5 RPB/sjj

Dear Mr. Raghavan:

We wish to advise you that the above-identified patent application (of which you are an inventor) has been filed with the U.S. Patent and Trademark Office (USPTO).

We are now required to submit to the USPTO a Declaration/Power of Attorney signed and dated by yourself.

We enclose herewith the requisite Declaration/Power of Attorney (4 pages), and an Assignment Document (2 pages) to HRL Laboratories, LLC, as well as a copy of the application as filed with the USPTO.

Please review the application as filed and sign and date the Declaration/Power of Attorney and Assignment Document where indicated. If you need further clarification, please let us know.

Once the formal papers have been executed, please forward them to us so that we may file the same with the USPTO by the deadline date of

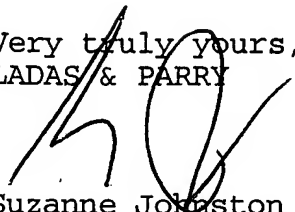
September 22, 2004.

We are enclosing herewith a pre-stamped return envelope for your convenience.

Mr. Gopal Raghavan
August 4, 2004
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If you have any questions concerning the foregoing, please do not hesitate to contact us.

Very truly yours,
LADAS & PARRY

A handwritten signature in black ink, appearing to read 'Suzanne Johnston', is written over the typed name and firm name.

Suzanne Johnston
U.S. Patent Department Assistant

RPB/sjj

Enclosures: Declaration/Power
Assignment Document
copy of application as filed
pre-stamped envelope